

REMARKS/ARGUMENTS

Applicants have added claims 27-33, and amended claims 1, 16 and 25. In the Examiner's Answer of August 27, 2004, the rejection of of the claims based on Peterson in view of Morishige was withdrawn. In particular, it is noted that "Peterson as modified by Morishige does not fairly teach application of a duct or plurality of ducts within which communication cables extend from one point to a second offshore point." As amended, each of independent claims 1, 16 and 25 include such a limitation and are thus not rendered obvious by the combination of Peterson and Morishige. Accordingly, Applicant respectfully requests allowance of the aforementioned independent claims for at least this reason. Claims 2-15, 17-24, and 26-32 properly depend from one of the aforementioned independent claims and are thus allowable for at least this reason.

Further, no rejection of claims 11 and 12 remains after withdrawal of the rejection of claims 1-26 based on Peterson in view of Morishige. Claim 33 includes the limitations of claims 11 and 12, and Applicant therefor respectfully asserts that claim 33 is also in condition for allowance.

Furthermore, Applicant maintains its position that Morishige and Peterson are not properly combinable, and thus the claims are allowable for at least this additional reason.

CONCLUSION

In view of the foregoing, Applicants submit that all claims now pending in this Application are in condition for allowance. Therefore, an early Office Action to that effect is earnestly solicited. If the Examiner believes a telephone conference would aid in the prosecution of this case in any way, please call the undersigned at 303-607-3500.

The \$144.00 fee for additional claims and the \$790.00 fee for Request for Continued Examination are included in the credit card form PTO-2038. Please charge any additional fees required or credit any overpayments for this Amendment to Deposit Account 06-0029.

Dated: 10/18/04

Respectfully Submitted,



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